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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/747,818	12/29/2003	Peter Mailandt	91082	1319

24628 7590 10/19/2005

WELSH & KATZ, LTD  
120 S RIVERSIDE PLAZA  
22ND FLOOR  
CHICAGO, IL 60606

EXAMINER

HO, TAN

ART UNIT	PAPER NUMBER
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2821

DATE MAILED: 10/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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Paper No. 10142005

WELSH & KATZ, LTD  
120 S RIVERSIDE PLAZA  
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(For Applicant)

OCT 19 2005

Michael J. Mehrman  
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5605 Glenridge Drive, Suite 795  
Atlanta, GA 30342

(For Protestor)

In re Application of  
Peter Mailandt et al.  
Application No. 10/747,818  
Filed: December 29, 2003  
Attorney Docket No. 91082

DECISION RETURNING  
IMPROPER PAPER

The supplemental protest filed September 26, 2005 under 37 C.F.R. § 1.291, titled "Supplemental Protest of Reissue Application Under 37 C.F.R. § 1.291" is before the Group Director of Technology Center 2800.


Under 37 CFR 1.291(c), protestor participation ends with the filing of the initial protest, and protestor will not be allowed to complete any protest that is incomplete. No further submission on behalf of protestor will be considered, except for additional prior art, or unless such submission clearly raises new issues which could not have been earlier presented. Protests which will not be entered in the application file include those further submissions in violation of 37 CFR 1.291(c) by which protestor seeks to participate in the examination process.

The supplemental protest filed September 26, 2005, is a second protest after an initial protest was filed on September 22, 2004 under 37 C.F.R. § 1.291. The second protest is an attempt to reply to the second preliminary amendment filed by applicant in response to the earlier protest. Further, the arguments in the protest do not raise new issues that could not have been earlier presented and are improper. Accordingly, the second protest is clearly an improper attempt for participation in the prosecution of the reissue application.

In view of the above, this paper has not been considered by the examiner and is being returned to the protestor.

This decision will be made of record in the application file.

Any inquiry regarding this decision should be directed to Jose' G. Dees at (571) 272-1569.



James L. Dwyer, Director  
Technology Center 2800  
Semiconductors, Electrical and Optical  
Systems and Components

Enc: "Supplemental Protest of Reissue Application Under 37 C.F.R. § 1.291" to protestor.